

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

JACQUELINE GAIL PAINTER,

Plaintiff,

v.

CIVIL ACTION NO. 2:17-cv-04435

NANCY A. BERRYHILL,

Defendant.

**ORDER**

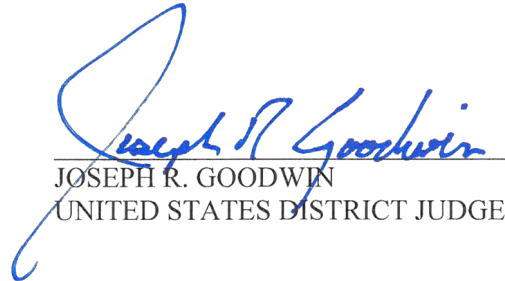
This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On October 19, 2018, Judge Eifert submitted her Proposed Findings of Fact and Recommendation [ECF No. 15] (“PF&R”), recommending the court deny Plaintiff’s request for judgment on the pleadings [ECF No. 12]; grant the Commissioner’s request for judgment on the pleadings [ECF No. 13]; affirm the decision of the Commissioner; and dismiss this action, with prejudice, and remove it from the docket. No objections to Judge Eifert’s PF&R have been filed.

Accordingly, the court **ADOPTS** and **INCORPORATES** herein the PF&R. For the reasons stated, the court **DENIES** Plaintiff’s request for judgment on the pleadings [ECF No. 12]; **GRANTS** the Commissioner’s request for judgment on the

pleadings [ECF No. 13]; **AFFIRMS** the decision of the Commissioner; and **DISMISSES** this action **with prejudice**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record, any unrepresented party, and the Magistrate Judge.

ENTER: November 9, 2018



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE